

Exhibit 40

DORLAND00400

and thriving. I follow your authors and all of their impressive literary successes with joy for you, them, and for the excellent work you midwife into the world.

My spouse and I just had a baby (!). His name is Domingo ("Mingus"). But before that, around when you wrote me last, I was suddenly repurposed into buying a house when the rent on our apartment went up dramatically... But I'm on the other side of that all now and ready to get back to work. I'm planning to send you novel pages this summer.

I'm reaching out to you at this particular moment, however, about a distressing situation. In short: a writer friend, to whom I disclosed my kidney donation in 2015, published a story last year "inspired" by my own living kidney donation. The story garnered a lot of attention for her and has new legs in a current feature for short story month at the journal where it was originally published, which I discovered quite by accident over the weekend. In 2016 I learned that my friend had written and prepared to publish a story without telling me that its genesis was my own kidney donation (another friend tipped me off after hearing the story at a public reading). When I approached this writer she was defensive of her actions but acknowledged that the story was indeed informed by my gesture. I didn't read the story when it came out, though--it was too painful. I could see a clear resemblance from even the story's title to the information I had disclosed and shared intimately with my friend ahead of donating my kidney. My friend later thanked several writers publicly for helping her revise and place the story, without ever acknowledging me.

I did read the story over the weekend when I came across it, however, and I am dismayed to confirm the similarities between her fictional donor's motivations and my own, as well as the story's title, plucked from an article I'd pointed her to because it had very much inspired and informed my own donation.

But here's the problem: my friend's kidney story includes a letter from a donor to her recipient. I believe that the letter in her story plagiarizes the letter that I wrote to the final recipient in our short kidney chain, a letter to which she had access as member of a friends-and-family Facebook group. (I would be happy to share the texts for your comparison.)

I'm not sure what to do about this, Samantha, short of reaching out to the editors of *American Short Fiction*, who publish the story. This writer's appropriation of my personal kidney story fictionally is one kind of debate; but another writer's use of a text that I authored is, to my mind, a serious issue and clear violation. I think this new discovery crosses a line. Remedies that I would find acceptable range from ASE's pulling the story to the author making an acknowledgment of my text

DORLAND is putting the story to the author making an acknowledgment of my text.

I would be so grateful to hear what you think about this and what I should do, if you are able and interested in taking the time. I can be reached anytime this week by email and/or by phone.

857-234-2650 (mobile)

Thank you for everything, Samantha. Your experience and encouragement has been so helpful to me in the past.

Kindly,
Dawn

I check email once daily at noon.